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Promotion and protection of human rights

Letter dated 10 February 2016 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you information on measures taken in the Republic of Uzbekistan to ensure the human right to freedom of opinion and expression (see annex).

I would appreciate it if the present letter and its annex could be circulated as a document of the seventieth session of the General Assembly, under agenda item 72.

(*Signed*) Muzaffar **Madrakhimov**

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Annex to the letter dated 10 February 2016 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Measures taken in the Republic of Uzbekistan to ensure the human right to freedom of opinion and expression

Article 29 of the Constitution of the Republic of Uzbekistan reads: "Everyone shall have the right to freedom of thought, speech and opinion. Everyone shall have the right to seek, receive and disseminate any information, except for information directed against the constitutional order and other limitations as provided by law".

In addition, article 67 of the Constitution states that: "The mass media shall be free and shall act in accordance with the law. They shall be responsible for ensuring the accuracy of information according to established procedures; and censorship is prohibited".

Implementation of these provisions of the Constitution has been facilitated by the establishment of the necessary legal framework, in particular the adoption of Acts on the mass media; on guarantees and freedom of access to information; on protection of the professional activities of journalists; on principles and guarantees of freedom of information; on openness in the work of public authorities and public administration; and others.

According to the Act on the mass media, the media are free in the Republic of Uzbekistan and carry out their activities in accordance with the law. Article 5 of this Act enshrines the right of the media to seek, receive and disseminate information; and censorship is prohibited. Everyone has the right to appear in the media and to express their opinions and convictions openly.

However, the media are responsible for the objectivity and accuracy of the information disseminated. Article 6 of the Act provides that the media shall not be used to call for a violent change to the existing constitutional order or to the territorial integrity of the Republic of Uzbekistan, for the propaganda of war, violence and terrorism or for ideas of religious extremism, separatism and fundamentalism.

The rights of journalists are enshrined in the Act on protection of the professional activities of journalists, dated 24 April 1997, which guarantees the individual safety of journalists in the exercise of their professional duties. Foreign journalists accredited in the Republic of Uzbekistan have equal rights to Uzbek journalists to collect and disseminate information.

The Creative Union of Journalists operates in the country to effectively protect the rights and interests of journalists. Its main aims are to enhance the role and status of journalists in society and to provide assistance in protecting the rights and interests of journalists working for various newspapers and magazines, television and radio channels, publishing houses and news agencies, regardless of their form of ownership, as well as protecting their creative rights, copyrights, honour and dignity vis-à-vis public and civic media organizations, founders and publishers.

Today the media have assumed an important role in ensuring a plurality of views in society. Since independence, the monopoly of one ideology in the media has been rejected and market mechanisms have gradually been introduced, stage-by-stage, into the information arena. A network of non-State owned television and radio is being developed with non-governmental agencies and foundations supporting print, audio-visual and online media.

The national media have significantly increased in size in recent years. There are currently 1,372 media organizations registered in Uzbekistan, including 1,016 print media outlets (709 newspapers, 289 magazines, 14 newsletters and 4 news agencies), 95 electronic media outlets (63 television channels and 32 radio channels) and 261 news websites.

Furthermore, 62 per cent of all media are non-State owned. Some 200 of these have electronic versions, which are updated every day with relevant information on ongoing developments in the country and abroad, providing analysis on socioeconomic and sociopolitical affairs. Moreover, the public has wide access to information sources from the public authorities and from public administration, including through their information services and websites. This allows citizens to develop a full and objective picture of their work.

In addition to the Uzbek language, television and radio broadcasts and newspaper and magazine publications are also produced in Russian, Tajik, Kazakh, Kyrgyz and other languages.

Over the past five years, the number of Internet resources registered as media in the country has more than doubled. The number of online media organizations has reached 261, of which 255 (98.1 per cent) are non-State owned.

The following measures are being taken to ensure freedom of information in the Republic of Uzbekistan:

First, the consistent development of market relations, healthy competition in the information sector and economic autonomy of the print media and media outlets, as prerequisites for their independence and essential guarantees of freedom of the press and of information;

Secondly, the expansion of national news web portals and the allocation of the grants needed for this by organizing competitions among national news media outlets and web portals. For the first time, the new version of the Act on the mass media refers to electronic versions of printed periodical publications as being a part of the media;

Thirdly, the updating and upgrading of media facilities to meet high modern standards;

Fourthly, the training and retraining of highly skilled journalists and technicians in order to take new trends in the global information space into account. Particular attention is being paid to the development of analytical journalism in the country; and,

Fifthly, the incorporation into the national media of such factors as the results of monitoring public opinion, the information needs and demands of the public and ratings indicators.

The implementation of the Presidential Decree on measures to reform and develop independent television and radio broadcasting channels, dated 8 November 2005, has helped to restructure the broadcasting system.

As a result of healthy competition developing among the various State and non-State television, radio, print and Internet media, there has been a significant improvement in the quality of information readily available to the public on important global and national developments and regarding news in political, social, economic and other fields. The national television and radio broadcasting company has begun to televise talk shows where topical socio-political, spiritual and cultural issues in the life of the country are raised and discussed with the active participation of the public.

State support covers a wide range of activities that actively promote public assistance, such as the provision of economic preferences and the establishment of preferential taxation for media products, including preferential value-added tax, reduced postage rates, an exemption from professional tax, and staff training and development.

Civil society institutions play a special role in the development of independent media, in particular the Public Foundation for the Support and Development of Independent Print Media and News Agencies of Uzbekistan, the National Electronic Media Association and the Creative Union of Journalists, among others.

For example, the Public Foundation for the Support and Development of Independent Print Media and News Agencies of Uzbekistan works to raise awareness among relevant entities and individuals about international commitments to human rights and humanitarian law related to the safety of journalists. Over the last few years some 300 events have been held jointly by the Foundation with relevant public and civic organizations, for journalists to interact with public authority officials.

There are more than 12,000 journalists working in media organizations in Uzbekistan. The country's journalists are trained and retrained in the Department of Journalism at the National University of Uzbekistan, including on two-year higher journalism courses in that Department; in the Departments of Journalism at the Uzbek University of World Languages, the Uzbek State Institute of Art and the Karakalpak State University; and at the International Centre for the Retraining of Journalists.

However, at the current stage of democratic reform in Uzbekistan and with the rapid expansion of information and communications technologies, comprehensive measures will need to be taken to further enhance openness and transparency in the work of public authorities and public administration and to increase the role of the media in that task. Of particular importance in that context is the Act on openness in the work of public authorities and public administration, adopted on 6 May 2014 in accordance with the policy framework put forward by the President of Uzbekistan for further deepening democratic reforms and establishing civil society in the country. The Act clearly defines the procedures for informing the public about the activities of public authorities and provides broad access for the public, the media and civic associations to information on the impact of their decisions, particularly those affecting the rights, freedoms and legitimate interests of citizens.

The Act on television and radio broadcasting, drawn up at the initiative of the President of the Republic of Uzbekistan, has been recognized by experts as a step forward compared with existing legislation on the media. The Act provides for the establishment of a coordinating body in the field of television and radio broadcasting and contains a detailed broadcast licensing procedure with provisions on the prohibition of monopolies and the prevention abuse in this sphere, on the transition to digital broadcasting and on the rights of consumers.

In order to further strengthen media independence and media facilities and to enhance the professional skills of journalists and technicians, plans are under way for the adoption of Acts of the Republic of Uzbekistan on the economic foundations of media activities; on State support for the media; and on television and radio broadcasting. A number of State programmes will also be adopted in support of socially significant projects related to such issues as the print and electronic media and the training of journalistic staff.